

INFORMATION LETTER

NATIONAL CANNERS ASSOCIATION

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NEW 1944 SUBSIDY PROGRAM TO BE ANNOUNCED WILL INCLUDE COST INCREASES OF MAJOR CANNED VEGETABLES

Applies to Products that are Sold in
Period from March 1, 1944
to April 30, 1945

The plan for subsidy payments on the 1944 pack of certain canned vegetables is set forth in a directive to the War Food Administration and the Office of Price Administration, issued by Fred M. Vinson, Director of Economic Stabilization, July 18.

The 1944 subsidy plan, which is scheduled for announcement by WFA as the *Lettuce* goes to press, provides for the payment of a subsidy on the finished product. It will be recalled that last year the subsidy was paid on the raw product basis, and covered corn, peas, tomatoes and snap beans that were processed for the civilian trade. Only a few of the products canned from these raw vegetables are to be subsidized this year. For example, canned corn, canned peas, canned green and wax beans, canned tomatoes and canned tomato juice are to be subsidized, and the amount of the subsidy payment is to be approximately the difference between the average of the 1943 ceiling prices and the average gross ceiling prices calculated by OPA for the 1944 pack.

Other products, except tomato and pea soup, that are manufactured either wholly or in part from corn, peas, tomatoes and green and wax beans, are not to be subsidized. OPA is, however, directed to adjust the ceiling prices of these products in accordance with the 1944 pricing program as set forth in the directive of April 6.

The program provides for payments to canners during the effective period of Maximum Price Regulation 306, as amended, to cover the increased raw product costs, between the area average raw material costs in 1942 and the 1944 grower support prices and provides that when the 1944 price ceilings are released by the Office of Price Administration, payments will be the difference between the gross maximum price and the civilian maximum price provided for in the new price regulation.

As was the case last year, payments will be made only to certified canners during the period that covers March

1, 1944, to April 30, 1945, inclusive.

Copies of the agreement form between Commodity Credit Corporation and canners, including details of the method of applying for payment, will be made available in the near future as well as other information concerning the program.

Although copies of the agreement form are not obtainable, it has been indicated that the form will cover the following points; a legal analysis of the agreement and the official text of subsidy directive is published on pages 8319 and 8320.

1. Only products manufactured from corn, peas, tomatoes and snap beans will be eligible for subsidy.

The contract as of this date provides for payment of subsidies only for the following canned items: Corn, peas, snap beans, tomatoes and tomato juice.

2. The subsidy is to be based on the finished product, that is, the subsidy payment will be expressed in cents per dozen.

3. The amount of the subsidy payment as provided in this contract will be as follows:

(Concluded on page 8320)

OPA Announces Grades for Use in Price Regulations

The policy on standards or grades which will be used in pricing the 1944 pack of fruits and vegetables is explained in the following statement, which will be issued July 24 by the Office of Price Administration regarding the pricing supplements which will control canned pack prices:

"Grade" is defined in the supplement to mean the established grade as commercially understood. The supplement contains provisions designed to make possible the application of these established commercial grades, in the determination of maximum prices, with the utmost possible definiteness and accuracy.

The supplement contains a finding by the Price Administrator that the most accurate and complete description of the established grades is contained in the United States Standards for Grades of Processed Fruits and Vegetables published by the United States Department of Agriculture. It provides, therefore, with a qualification hereafter noted, that sale at a price no higher than the

(Continued on page 8327)

VINSON ISSUES OFFICIAL DIRECTIVE ON LEVEL OF 1944 CEILING PRICES AND METHOD OF SUBSIDY PAYMENTS

On July 18, Economic Stabilization Director Fred M. Vinson issued a formal directive covering Canned Vegetables for 1944. This was the first publication in the *Federal Register* of any such directive, and follows the new provisions of Section 201(e), added to the Emergency Price Control Act on June 30, 1944, requiring that all agencies or officers exercising supervisory or policy-making powers over the Office of Price Administration, War Food Administration, or War Production Board, shall exercise their powers only through formal written orders or regulations which shall be promptly published in the *Federal Register*.

The directive consists of three divisions: The first contains the findings upon which the Director is proceeding. The second contains the directions to OPA; and the third division the directions to WFA.

The Director concludes that in order to meet the "Hold-the-Line" Executive Order of April 8, 1943, it is necessary to subsidize the four major canned vegetables and tomato juice. His next finding is that the payment of the subsidy on "completed sales" of the finished goods will facilitate the administration of the program. The third finding is that while Maximum Price Regulation No. 306 remains in effect, that is, until the new 1944 OPA ceiling prices are issued, it will be necessary to provide for some type of interim raw material subsidy. The last finding is to the effect that the "agreed pricing method" for 1944 will be fulfilled. (This undoubtedly has reference to some previous directive covering the pricing method announced at the Processors' Conference in Chicago last February. This particular directive has not yet been made public.)

On the basis of these findings, OPA is directed to establish maximum prices for civilian sales of canned peas, snap beans, corn, and tomatoes and tomato juice at a level which will reflect "approximately the average of prices" for civilian sales of these products in 1943. With respect to all other products in which these four vegetables are used in whole or in part, OPA is directed to establish price ceilings which will reflect "increases in raw material and other costs." This is to be done pursuant to an earlier directive of April 6, 1944, which, as noted, has never been published.

OPA is directed to give to WFA its calculations as to the amount of subsidy necessary to maintain the 1943 level of prices, and to do so by determining the difference between the average 1943 civilian ceiling prices and the mid-point of the 1944 price range which is to be specified for each product.

WFA is directed to carry out the subsidy program. (A summary of the anticipated subsidy contract is set forth in another column.)

Specifically, WFA is directed to absorb the difference between the 1944 ceiling prices on the four major vegetables and tomato juice, and the average 1943 ceiling prices. Up to the time that the new price regulations are issued, it is directed to absorb the increased cost of raw material of the four major vegetables and of the tomatoes going into tomato juice.

With respect to tomato soup and green pea soup, it is directed to pay the difference between the average raw material prices paid in 1942, and the 1944 grower support prices on the raw material going into these two soups.

The text of the actual directive is set forth below. It will be noted that its language is very general in many respects and will require future interpretation. It is difficult to see how the Congressional requirement that all directives be published is precisely met by the publication of a directive which refers to an earlier unpublished directive. Likewise, there appear to be some ambiguities in both direction No. 2 to OPA and in direction No. 3 to WFA. It is expected that these ambiguities will be cleared up in the respective actions of OPA and WFA.

CANNED VEGETABLES, 1944 SUBSIDY PAYMENTS

The War Food Administrator having submitted certain information and recommendations to me on July 6, 1944, and the Price Administrator having submitted certain information and recommendations to me on July 15, 1944, with reference to a program for the payment of subsidies in 1944 on products proc-

essed from green peas, snap beans, sweet corn and tomatoes, I hereby find that:

1. The payment of the subsidy on canned green peas, snap beans, sweet corn, tomatoes, and tomato juice and on such other products of the four major vegetables as may later be included, will effectuate the purposes of the hold-the-line order, specifically, the policy established by Executive Orders 9250 and 9328;

2. The payment of the subsidy on completed sales of the specified canned products will greatly facilitate the administration of the subsidy program;

3. Under Maximum Price Regulation 306, which continues in effect, canners cannot comply with increases over 1943 support prices established by the 1944 grower support program without provision for a correspondingly higher subsidy;

4. The agreed pricing method for the 1944 pack of canned fruits and vegetables will be fulfilled.

The Office of Price Administration is hereby authorized and directed:

1. To establish civilian maximum prices for canned green peas, snap beans, sweet corn, tomatoes, and tomato juice which will reflect approximately the average of prices established for such products in 1943;

2. To establish for the four major vegetables which were in part handled by subsidy in 1943, such as tomato puree, catsup, paste and mixed vegetables, civilian maximum prices for those products at a level reflecting increases in raw material and other costs pursuant to your directive of April 6, 1944;

3. To determine and furnish to the War Food Administration, as soon as calculations have been completed, the amount of subsidy necessary to maintain the 1943 level of prices;

4. To calculate this subsidy by computing the difference between the 1943 average price for civilian sales and the mid-point of the 1944 range of gross maximum prices.

The War Food Administration is hereby authorized and directed:

1. To absorb by the use of Commodity Credit Corporation funds the differential from the 1944 gross maximum price established by the Office of Price Administration for civilian sales of the five products named above;

2. To subsidize these five products, until the effective date of the new regulation for the 1944 pack of canned fruits and vegetables, by absorbing the increased cost of the raw material of the four major vegetables;

3. To subsidize canned tomato soup and canned green pea soup by continuing to absorb the increase by area between the average prices paid in 1942 and the 1944 grower support prices for processing for tomatoes and green peas used in producing these soups.

Dated this 18th day of July, 1944.

WFA Invites Cider Offers

The War Food Administration announces that it contemplates purchase through the Commodity Credit Corporation of 89,000 pounds of pure cider vinegar.

Offers must be submitted in an original and four (4) signed legible copies on Form PB-147 and must be received by the Procurement and Price Support Branch, Office of Distribution, War Food Administration, Washington 25, D. C., on or before 3 p. m. (e. w. t.), July 27. Such offers shall be subject to acceptance in whole or in part by telegram filed at Washington, D. C., not later than midnight (e. w. t.), July 31.

Further information with respect to this announcement may be obtained by communicating with J. J. Hynes of the Procurement and Price Support Branch.

NEW 1944 SUBSIDY PROGRAM TO INCLUDE COST INCREASES

(Concluded from page 3319)

(a) For that portion of the 1944 pack, canned after March 1st and sold prior to the issuance of the OPA price regulation for 1944, will be the amount of the increase in the price of the raw product for 1943 and 1944, averaged for each area. (The figures are listed in the contract in cents per dozen.)

(b) On sales of the 1944 pack made after the new price regulation is issued, the subsidy is to be the difference between the average of the gross OPA ceiling prices for 1944 and the average of the 1943 ceiling prices.

4. Subsidy payments under this contract will be made on evidence of sale of an eligible product to the civilian trade at or below legal ceiling price, during the period March 1, 1944, to April 30, 1945. No subsidy may be paid on resale or product previously subsidized. Applications for payment may be made monthly, none after May 31, 1945.

5. Only canners who are certified by the State Agricultural Conservation Committees will be eligible to apply for subsidy payment.

(a) In the case of contract purchases, the canner must meet the requirements of the support program with respect to contracting, etc.

(b) In the case of open market purchases, the canner is not required to pay a specified price for the raw product in order to be eligible. The amount of the subsidy payment, however, may be altered because of the price paid for raw product. For example, if a canner buys any amount of raw product at less than the support price his subsidy payment will be reduced (offset) by the amount of the difference between the actual purchase price and the support price. The above mentioned "offset" will be made even though some purchases of raw product may have been made above the support price.

"A" Award to Stokely Plant

For outstanding performance in the processing of food, the War Food Administration's achievement "A" award will be presented to the Cumberland, Wisconsin, plant of the Stokely Foods, Inc. Ceremonies in connection with making the award are being arranged to coincide with the presentation of awards to the Frederic and Milltown plants of this same company.

AMENDMENT LIBERALIZES**GLASS, CLOSURE QUOTAS****All but Three Canned Foods Unlimited in Revision of Order L-103-b**

Glass container and closure quotas as established by Supplementary Order L-103-b as amended May 15 are liberalized by amendments to the order issued on July 18. All canned foods except spaghetti and macaroni products, corn beef hash, and sauerkraut are given unlimited quotas.

Following is Schedule I which covers all foods. The data in the two "quota" columns, opposite each product, indicate the number of new glass containers and new metal closures which may be used for packing that product. Where the "x" mark appears opposite a product in the column headed "Closure material" it indicates that only closures made of that material may be used to pack that product, except that closures made of blackplate may be used, within quotas, wherever tinplate or terneplate is specified. Closures made of aluminum or blackplate rejects may be used without regard to quota or material restriction.

The original text of Order L-103-b was published in the INFORMATION LETTER for January 8, and amendments affecting the food schedule appeared in the LETTER for May 20.

OYSTER HEARING CALLED**Regulation on Standards of Fill of Container to be Considered**

A public hearing on standards of fill of container for canned oysters has been called for August 22, by the Federal Security Administrator. It will be held in Room 3106, South Building, U. S. Department of Agriculture, Washington, D. C.

A suggested regulation to be considered at the hearing is set forth below, which suggested regulation is subject to adoption, rejection, amendment, or modification, in whole or in part, as the evidence of record adduced at the hearing may require.

§ 38.6 Canned oysters: Fill of containers; label statement of substandard fill.

(a) The standard of fill of containers for canned oysters is a fill such that the drained weight of oysters taken from each container (except that cylindrical container which is $2\frac{1}{2}$ inches in diameter and 4 inches in height) is not less than 68 per cent of the water capacity of the container. The standard of fill of container for canned oysters in that cylindrical container which is $2\frac{1}{2}$ inches in diameter and 4 inches in height is a fill such that the drained weight of oysters taken from each container is not less than 7.5 avordupois ounces. Water capacity of containers is determined by the general method prescribed in 21 CFR, Cum. Supp., 10.1 (a). The drained weight of oysters is determined by the following method:

Keep the unopened canned oyster container at a temperature of not less than 68° or more than 95° Fahrenheit for at least 12 hours immediately preceding the determination. After opening, tilt the container so as to distribute its contents evenly over the meshes of a circular sieve which has been previously weighed. The diameter of the sieve is 8 inches if the quantity of the contents of the container is less than 3 pounds, and 12 inches if such quantity is 3 pounds or more. The bottom of the

sieve is woven-wire cloth which complies with the specifications for such cloth set forth under "2380 Micron (No. 8)" in Table I of "Standard Specifications for Sieves," published March 1, 1940, in L. C. 584 of the U. S. Department of Commerce, National Bureau of Standards. Without shifting the material on the sieve, so incline the sieve as to facilitate drainage. Two minutes from the time drainage begins, weigh the sieve and the drained oysters. The weight so found, less the weight of the sieve, shall be considered to be the drained weight of the oysters.

(b) If canned oysters fall below the applicable standard of fill of container prescribed in paragraph (a) of this section, the label shall bear the general statement of sub-standard fill specified in 21 CFR, Cum. Supp., 10.2 (b) in the manner and form therein specified.

Clarification of Pilchard Strapping Requirements

The War Food Administration stated on July 19 that there seems to be some misunderstanding as to strapping requirements in connection with purchases of pilchards. The number of straps to be used and the method of strapping were not set forth in Form PB-135, but these requirements are covered in "Export Packaging Specifications," Forms FSC-1742-D, FSC-1539-C.

It is pointed out by WFA that only two straps are required under these specifications and the straps may be applied either parallel or at right angles to each other. If four straps on each case should be required for special shipments, arrangements will be made with individual canners.

WFA also stated that natural style pilchards in No. 1 oval cans are not acceptable unless prior written approval has been granted to the canner. All No. 1 oval cans should be packed with tomato sauce.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tin-plate	Black-plate
1. All foods for human consumption except as otherwise listed in this schedule. 2. Spaghetti and macaroni products, corn beef hash, and sauerkraut. 3. Candy and nut meats. 4. Coffee, bean or ground.	Unlimited. 100% 1942 or 1943. 100% 1942 or 1943. See Note.	Unlimited. 100% quota glass containers. 100% quota glass containers. 50% of glass quota.	X	X
5. Shortening. 6. Meat and fish products made from them, ice cream mix, apple cider and juice, fruits (only crushed, fountain fruit and ice cream toppings), soup mix, cheese spreads. 7. Olives, pickles, relishes, sauces, vinegar, French dressing, flavoring, extracts, spices, mustard, horseradish, cherries. 8. All other foods for human consumption if preserved in a hermetically sealed container made sterile by heat.	Unlimited. Unlimited.	None. Unlimited.	X	
	Unlimited.	Unlimited.	1.50	
	Unlimited.	Unlimited.	1.50	

NOTE: A packer may accept sufficient glass containers to pack the same quantity of coffee that he packed in both glass containers and cans in 1941.

- Shortening.
- Meat and fish products made from them, ice cream mix, apple cider and juice, fruits (only crushed, fountain fruit and ice cream toppings), soup mix, cheese spreads.
- Olives, pickles, relishes, sauces, vinegar, French dressing, flavoring, extracts, spices, mustard, horseradish, cherries.
- All other foods for human consumption if preserved in a hermetically sealed container made sterile by heat.

PRICES SET FOR FROZEN RED SOUR PITTED CHERRIES IN SUPPLEMENT 6 TO FOOD PRODUCTS REGULATION 1

New Ceilings Went into Effect July 17
and are Lower than Last Year's

Lower maximum prices for the 1944 and later packs of frozen red sour pitted cherries than were in effect for the 1943 pack were announced July 17 by the Office of Price Administration in Supplement 6 to Food Products Regulation No. 1. The supplement is a part of the recently issued over-all price regulation covering packaged groceries which was printed as an insert to INFORMATION LETTER 990 and supersedes Maximum Price Regulation No. 400, the former regulation setting ceilings for frozen fruits, berries and vegetables.

The new processors' ceilings are about one-half cent per pound lower on consumer-size packages than those of last year and reflect 7½ cents per pound to the grower, as compared with the 8½ cents which was reflected in the 1943 maximum prices.

The new prices cover two geographical areas. Area 1 includes processors' factories located in Washington, Oregon, Montana, Utah, Idaho and Colorado. Area 2 includes processors' factories in all other States. OPA said that production costs in Area 1 are higher than in Area 2. The difference of one-fourth of a cent per pound between prices in the two areas reflects this cost differential.

For frozen red sour pitted cherries packed in barrels 4 plus 1 (4 parts fruit to 1 part sugar), the new processor ceilings are 12½ cents per pound in Area 1 and 12½ cents per pound in Area 2. For cherries in the containers having a capacity of 30 pounds or more, the ceilings are 13 cents per pound in Area 1 and 12½ cents per pound in Area 2.

A number of the provisions of FPR No. 1 apply to pricing of red sour cherries and are specifically incorporated in the supplement. As prices for the other frozen fruits, berries and vegetables are issued, they will be made a part of the same supplement and will be controlled by the same general provisions as those outlined in the supplement, the OPA explained.

The supplement contains methods of pricing other types and sizes of containers in line with the barrel and 30-pound tin container prices. Ceilings for sales to the Government are 96 per cent of the ceilings for other sales.

A wagon wholesaler determines his ceiling price by adding a 20 per cent mark-up to his net delivered cost.

Important pricing changes in the new regulation are:

1. Dollar-and-cent prices are named for red sour pitted cherries packed in 30-pound containers. Formerly, maximum prices for these containers were determined by formula.

2. A custom packer may charge no more for the service of custom packing than the difference between the price paid by the owner for the fresh fruits or berries and his own maximum price for sales of the finished product.

3. All maximum prices are determined on a "no-storage" basis. "No storage" means that prior to transfer of ownership the goods have not been stored by the seller for longer than 30 days. Maximum prices may be increased one-eighth of a cent per pound for each additional month of storage prior to transfer of ownership.

Although this supplement replaces MPR 400, the pricing provisions for frozen red sour pitted cherries only are given. Pricing methods for other frozen products will be announced later.

The Association has sent copies of Supplement 6 to FPR No. 1 to all red sour cherry processors. Other canners desiring copies may obtain them by writing the N.C.A. headquarters.

Shrimp Production Up for June but Less than 1943

Shrimp production for the month of June increased sharply over May yields at most points along the Gulf coast, helping bring up the yearly production which is still 28 per cent below the first six months of 1943, the Office of the Coordinator of Fisheries reported July 17.

Total production of shrimp for all purposes was 21,420 barrels in June, a 50 per cent increase over the 14,167 barrels produced in May. Production for the first six months of the year totalled 73,340 barrels, compared with 101,738 barrels during the same period last year.

In contrast to shrimp, hard crabs showed a strong increase in total production for the year as well as in the June fishery. Gulf coast fishermen had caught 5,008,928 pounds of hard crabs by the end of June, compared with 3,780,915 pounds by that date last year.

Because of the shortage of shrimp during the spring season, many shrimp canners turned to crab meat, canning this product for the first time, the Coordinator's Office reported. As a result, June was a record month for the canning of crab meat in this area, with 107,510 pounds processed in addition to 73,300 pounds sold fresh and frozen.

Rudolph P. Binzel Dies

Rudolph P. Binzel, Sr., President of the Marshfield Canning Co., died July 16 at St. Joseph's Hospital in Marshfield, Wisconsin, after suffering a cerebral hemorrhage two months ago. Funeral services were held on July 19, at the Sacred Heart Church, Marshfield. Mr. Binzel was 60 years old and had been in the canning business about 25 years. He organized the Marshfield Canning Company in 1924. His son, Rudolph F., and daughter, Mary Helen, are both active in the company. He is survived, in addition, by his widow and two grandchildren.

Navy Will Pay Ration Credits for Rationed Foods It Buys

The Bureau of Supplies and Accounts of the Navy Department has announced the following policy with respect to the payment of ration points to canners for rationed canned foods sold to the Navy:

Where rationed foods are procured by the Navy and are received on or after August 1, 1944, the Navy disbursing officer who pays the supplier's money invoice will also pay ration credits for all rationed foods covered by the invoice. The ration credit payment will be made by ration check at the same time as money payment and on the basis of the same evidence, except that where ration values are measured in terms of points the supplier must either show the ration point value on the money invoice or submit a separate ration point invoice. Accordingly, suppliers should submit ration invoices with money invoices where the rationed foods are to be delivered to the Navy on or after August 1, 1944.

Pursuant to recent Office of Price Administration amendments, payment of ration points hereafter will be made by the Navy on the basis of point values in effect on the date of shipment of the rationed foods, unless they are purchased and set aside for the account of the Navy in the supplier's warehouse or in a public warehouse. Under the latter circumstances payment will be made on the basis of point values in effect at the time the first act transferring possession or title to the Navy occurred.

Miscellaneous Offers Invited

The War Food Administration has invited offers, in small quantities, of a miscellaneous list of processed foods. The offers must be submitted to the Procurement and Price Support Branch of WFA in Washington, by July 31, on Form PB-143. The invitation covers the following products and quantities: Canned vegetables, 250 cases; canned fruits, 775 cases; canned fruit juices, 1400 cases; pickles and sauces, 205 cases; dried fruits, 210 boxes.

Death Takes William G. Meal

Funeral services for William G. Meal, 44, chief of the WFA Office of Distribution's Fruit and Vegetable Branch, were held July 18 at Ithaca, with burial July 19 at Lockport, N. Y.

Mr. Meal was well known to canners throughout the Nation because of his nearly 20 years of service with the U. S. Department of Agriculture and through his appearances on the program at the Association's meetings. Until illness forced his retirement several months ago, he was regarded as one of the best informed persons in the country on problems affecting the fruit and vegetable trades and his counsel was sought widely by all segments of the industry.

Entering government service in 1929, Mr. Meal served in the Division of Cooperative Marketing of the Bureau of Agricultural Economics. He left in February, 1931, to serve two years with the New Jersey Agricultural Extension Service. Upon his return in 1933, he became a senior marketing specialist and later principal agricultural economist with the Agricultural Adjustment Agency until August, 1938, when he was appointed head of the Division of Fruits and Vegetables of the BAE. Since that time he has served successively as chief of the fruit and vegetable branches of the Agricultural Marketing Service, the Agricultural Marketing Administration, and the Office of Distribution.

Born on a farm near Lockport, N. Y., Mr. Meal was graduated from Cornell University and was once an instructor in fruit and vegetable marketing in the Department of Agricultural Economics and Farm Management at Cornell.

Aluminum Use is Liberalized

Rules permitting wide, new uses of aluminum for essential products have been announced by the War Production Board.

These rules include provisions for substitution of aluminum, now in relatively free supply, for other metals and critical materials not so readily available.

The new rules relating to use of aluminum, contained in Supplementary Order M-14, provide that the metal may be used in the manufacture of cans, subject to packing quotas applicable to all cans under Order M-81. The use of aluminum was formerly forbidden for these products. In addition, rules relating to the use of aluminum in the manufacture of closures have been liberalized.

SHIPMENTS OF BARTLETT PEARS GROWN IN CERTAIN DISTRICTS OF CALIFORNIA ARE RESTRICTED BY WFA

Order to Help Canners Meet Canned Pear Requirements of the Armed Forces

To assure California canners sufficient supplies of Bartlett pears this year to enable them to meet requirements of governmental agencies, the War Food Administration has restricted the shipment of that fruit from certain producing areas in California to the quantity that was shipped during the 1942 season.

This action, contained in War Food Order 108, effective July 10, covering the districts in California of central Sacramento Valley, Sacramento River, Solano, Contra Costa, Santa Clara, North Coast and North Bay, was taken to divert Bartlett pears from fresh market channels to canning outlets. The restrictions of the order apply to shipment from any point within a specified district to any point without thereof and limit the quantity which any shipper may ship to 100 per cent of the quantity which he shipped in 1942.

About 90,000 tons of raw fruit will be required by California canners this year to enable canners in that State to produce the quantity of canned pears and fruit cocktail which are required to meet governmental needs. Without a diversion of Bartlett pears from fresh markets, a quantity substantially less than 90,000 tons would be available in California to canners, WFA estimated.

A similar order was in effect during 1943 for both California and the Northwest. In view of an estimated heavy production of Bartlett pears in the Northwest this season the crop in that area has not been placed under restrictions of the present order. Plans are being made by WFA to permit canners to ship from the Northwest for canning in California any surplus of Bartlett pears which may result from the anticipated heavy production in that area.

The production of Bartlett pears in California this year as of June 1, was estimated at about 8,751,000 bushels or 160,700 tons, compared with 11,293,000 bushels, or 269,000 tons in 1943, and a 10-year average, 1933-42, of 8,392,000 bushels, or 200,000 tons.

Any Bartlett pears for which a suitable market in the canning outlet does not develop or any Bartlett pears which canners may not need to meet their set-aside quotas, may be released to the fresh market by the Director of Distribution, WFA. California pears for shipment to eastern markets must be har-

vested about 10 days earlier than if they are to be canned, WFA pointed out. Because releases to permit eastern shipment must be granted in ample time, a date will be set and announced in California for each district and any Bartlett pears for which a suitable market in the canning outlet has not developed by that date may be released for shipment for fresh consumption.

Within 48 hours after the order became effective and every 48 hours thereafter while he is purchasing Bartlett pears or producing canned Bartlett pears, each canner must, with respect to each district, report to the Fruit and Vegetable Branch, Office of Distribution, WFA, Room 220, Federal Building, P. O. Box # 230, Sacramento, California. The quantity of Bartlett pears which he has contracted to buy for canning plus the quantity not covered by purchase contracts which he will use for canning must be included in the report.

Bartlett pears produced in the seven specified districts in California are covered by the order, but there are no restrictions on four other districts in California which normally supply 60 per cent of the Bartlett pears shipped fresh from the State. Production in these four districts this season is substantially less than in 1942, thus these districts will be unable to ship a quantity of pears equal to their 1942 shipments.

Copies of WFO 108 may be obtained by writing the WFA's Office of Distribution, 821 Market Street, San Francisco, Calif.

Sugar Zoning is Suspended

Suspension of zoning restrictions on the distribution of sugar by Continental cane refiners and domestic beet sugar processors—in effect since 1942—has been announced by the Office of Price Administration, in issuing Amendment No. 2 to Eleventh Revised Zoning Order No. 1, under Revised Ration Order 3, which became effective July 14.

End of zoning restrictions, OPA added, should result in the distribution of slightly more sugar during the coming three months than would have been likely under zoning, because a producer will now be able to sell to a customer across a zone line when he can produce sugar enough to do so.

OPA said that zoning restrictions will be returned at a later date if required to maintain even distribution of sugar throughout the country.

SHIPPING POINT PRICES

OPA Announcement Covers Fresh Lima Beans, Peppers, Tomatoes

Advance announcement of the maximum prices that will be established next fall at country shipping points for lima beans, sweet peppers and tomatoes has been made by the Office of Price Administration.

A formal notification to growers was published July 15 in the *Federal Register*, in line with the new Congressional requirement that notice of price ceilings to be established for crops planted annually be given at least 15 days in advance of planting time.

Because of an increase in the legal minimum, ceilings for peppers will be ten cents higher per $1\frac{1}{2}$ bushel container than the maximum prices established for the same periods in the previous 12 months. The proposed f. o. b. ceilings for lima beans and tomatoes, which are slightly higher than legal minimum requirements, have been approved by the Office of Economic Stabilization.

Lima beans have not been under price control. Tomatoes are now controlled by a "freeze" regulation, which limits sellers to the highest prices they charged during a base period.

The proposed f. o. b. shipping point prices for these three vegetables are presented in the following table, which gives seasons, and basing points:

LIMA BEANS (Per bushel container)

Season	Basing	F.o.b. shipping	point price
November.....	Pompano, Fla.	\$3.00	
	San Jose, Calif.	3.00	
December-April.....	Pompano, Fla.	4.00	
	San Jose, Calif.	4.00	
May-June.....	Pompano, Fla.	3.00	
	San Jose, Calif.	3.00	

SWEET PEPPERS (Per $1\frac{1}{2}$ bu. crate)

October 16-November.....	Pompano, Fla.	4.10
	San Jose, Calif.	4.10
December-May.....	Pompano, Fla.	4.50

TOMATOES (Per lug)

October.....	Bakersfield, Calif.	3.00
November.....	Bakersfield, Calif.	3.30
December-April.....	El Centro, Calif.	3.30
May-June 15.....	Brownsville, Tex.	3.00

OPA explained that for each major producing area of each commodity a maximum price for f. o. b. sales will be provided. For other areas, the basing point price will be used.

For sales of the vegetables in bulk (loose without containers) the ceiling prices will be one cent per pound less than the prices named.

Maximum prices for the vegetables delivered to wholesale receiving points will be the applicable basing point price

plus freight from the basing point plus protective services.

When the new f. o. b. ceilings are formally established, mark-ups will be named for the various handlers prior to retail, and amendments to the retail "fixed mark-up" regulations will provide retail control.

Rationed Food Allotments for Temporary Farm Workers

Farms, ranches and other non-institutional employers of seasonal workers are authorized by the Office of Price Administration, effective July 26, to obtain allotments of rationed foods for feeding temporary workers hired for terms of employment ranging up to 60 days. This is provided for in Amendment No. 76 to General Ration Order No. 5.

Previously, allotments of rationed food for feeding temporary farm workers could be obtained only for such workers employed for 30 days or less. For workers employed longer terms, the employer was directed to collect ration points from the worker in exchange for rationed foods served.

Allotments for seasonal workers employed more than 30 days and not exceeding 60 days will be the same per meal as were provided for the 30-day period. For seasonal workers employed over 60 days, the farm or ranch owner must continue to collect ration points from the worker for food served for which the employer was required to surrender ration points to his supplier.

Farms or ranches seeking allotments of foods for seasonal workers employed 60 days or less should make application for the allotments to their local War Price and Rationing Boards.

Brock Named N. W. Secretary

Harold Brock was appointed Secretary of the Northwest Canners Association July 17. He succeeds Clayton Long, now with the Insecticide and Fertilizer Section of the War Production Board in Washington.

Immediately previous to his appointment Mr. Brock had been in charge of the War Food Administration's Office at Portland, Oregon, for a number of years. Prior to that he had been connected with the United States and the California Departments of Agriculture, and with the fresh fruit industry in that State.

Tomato Picking Experiments

To test the theory that ripe tomato fruit on the plant produces some sort of gas which causes the leaves to drop off and thus defoliate the plant and increase loss, an experiment was set up in the summer of 1943 by the New York State Agricultural Experiment Station to secure some information on the effect of methods of picking on defoliation. Four methods of picking were used, and on the basis of the results, it was concluded that the method of picking had no important effect on the amount of defoliation and that presence of ripe fruit did not cause defoliation. Where sprays were used, however, defoliation was controlled, although the yield was somewhat reduced.

63,637 Mexican Farm Workers Employed in U. S., WFA Says

A total of 63,637 Mexican workers were reported on July 17 by the War Food Administration as employed on farms in 17 Western States. This is the largest number employed at any time since the program of transporting workers from Mexico began in September, 1942, the agency said. The number brought to the United States since the program's inception totals 110,551.

California has received the largest number of Mexicans and has the largest number presently employed on farms. This State has received 65,846 directly from Mexico and 2,531 from other States, with 35,280 presently assigned. Presently assigned in other States are: Montana, 4,434; Washington, 4,332; Oregon, 3,670; Colorado, 3,335; Idaho, 2,410; Michigan, 2,006; Arizona, 1,850; Nebraska, 1,459; Minnesota, 1,299; Wyoming, 961; Nevada, 691; Utah, 689; North Dakota, 432; South Dakota, 300; Kansas, 298; and Wisconsin, 191.

The Mexicans are brought to this country under terms of an international agreement between the Governments of Mexico and the United States and are employed under individual work agreements. Additional workers will be transported from Mexico so as to maintain a work force of 75,000 of these workers for the 1944 harvest season, WFA said.

Brig. Gen. Philip G. Bruton, director of the Office of Labor, the WFA agency responsible for recruiting, transporting and supervising these workers, said that the program has been highly successful, and attributed this fact to the cooperation of the Mexican Government, American and Mexican railroads, and employers of the Mexicans.

Allotments of Rationed Soup

Ingredients are Liberalized

To encourage production of canned and bottled soups, the Office of Price Administration on July 18 announced that manufacturers henceforth will be provided allowances of meats, butter, margarine, fats, oils, and sugar on a basis of the amounts actually needed to increase output of soups now being distributed under rationing. This is accomplished under terms of Amendment 14 to Ration Order No. 16 and Amendment 33 to RO-3, both effective July 22.

Previously, the amount of meats, butter, margarine and fats and oils a soup manufacturer could obtain was limited to an allotment based on his concern's meat, butter, and fat usage in 1942. Allotments of sugar were limited to 80 per cent of the amount used in the corresponding months of 1941.

Under the new amendments, however, a soup manufacturer may apply to his local War Price and Rationing Board or OPA district office, if he is registered there, for allotments of meat-fats items and sugar on a provisional allowance basis.

This provisional allowance, in effect, makes it possible for a manufacturer to increase his production of rationed soups to the limit permitted by the availability of containers.

OPA pointed out, however, that the new allowances are granted solely to permit greater soup production, and extra amounts of rationed meat-fats items and sugar cannot be obtained to increase meat, butter or fat content or the amount of sugar contained in soups. Soup making formulas of manufacturers cannot be changed to make larger the amounts of rationed foods used per pint of soup.

Set-aside on California and Arizona Oranges Resumed

Resumption of set-aside regulations on California-Arizona oranges to assure that adequate supplies of processing fruit will be available to meet the requirements of our armed forces for single-strength orange juice, has been announced by the War Food Administration.

Under this action, issued as an amendment to War Food Order 6.1 and effective July 16, handlers of California-Arizona oranges will be required to set aside a quantity of oranges equal to 10 per cent of their weekly shipments in fresh fruit channels, WFA said. Similar regulations were in effect for California-Arizona oranges during the 1942-43 season but were terminated October 31, 1943.

Paperboard Regulations Revised

Revised regulations covering the use of paperboard, including folding boxboard, set-up boxboard and some miscellaneous grades of paperboard, were issued July 18 by the War Production Board in an amendment to Conservation Order M-378.

In order to receive shipments of paperboard after August 7, everyone except jobbers or small users must file a report with the War Production Board before that date, stating the tonnage of products made from paperboard during the first quarter of 1944, defining the products and estimating the proposed third-quarter production, Arnold B. Huyssoon, assistant director of WPB's Paperboard Division, said.

The reports from the paperboard consumers, Mr. Huyssoon explained, will be used by the Paperboard Division as the basis for preparation of a paperboard authorization system for the fourth quarter commencing October 1, 1944. Such a system, he said, probably will be similar to the procedure established for containerboard control under Order M-290.

Restrictions on Dehydrated Onion Sales Removed by WFA

As a result of improved supplies of dehydrated onions, restrictions on the sale of this product have been removed by the War Food Administration to permit civilian purchases without allotment certificates.

This action is contained in War Food Order 30.2, effective July 17, and reduces to zero the percentage which dehydrators are required to set aside for government and essential civilian needs. Set-aside restrictions have been in effect for dehydrated onions since March, 1943. Since that time the civilian allocation has been rationed among only those consumers who could certify usage in 1942, the base period.

Dehydrated onions are the last of the dehydrated vegetables to be removed from set-aside restrictions. Beets, cabbage, and rutabagas were removed June 1.

Dehydrated onions are an essential ingredient in the processing of several types of food products. Catsup and meat packers and condiment manufacturers are the principal users.

Grower Prices for Figs, Plums, and Fresh Prunes for Canning, Freezing and Preserving are Announced Jointly by WFA and OPA

The average grower prices that will be used in constructing processors' ceiling prices for the 1944 packs of canned, frozen and preserved figs, plums and fresh prunes were announced today by the War Food Administration and the Office of Price Administration. They are:

	Per ton
Kadota.....	\$125.00
Other varieties.....	97.00
Fresh prunes.....	48.50
Plums	
Calif., Ore., Wash., Idaho and Utah...	56.00
(For plums produced in other States, the same grower prices that were allowed in the regulations pricing the 1943 packs will be used for the 1944 packs.)	

Grower prices for these commodities for all areas are at growers' customary delivery points and are based upon the customary grading procedure and the customary tolerance for defective fruit.

Ceiling prices for these processed products will be established on a formula basis this year. As a period in 1941 will be the base period used in establishing formula prices, the raw material cost allowances in such ceilings will be based on grower price increases since that time, OPA said.

The method being used by OPA in establishing ceiling prices for these

processed products should permit the payment of the normal price differentials for the different grades of raw fruit usually purchased by the processor, WFA said.

New Ration Check Procedure

District OPA offices have been instructed to charge ration checks drawn on non-existent ration bank accounts to the depositor who received the check, the Office of Price Administration said July 22.

This action was taken because in many cases when checks are drawn on non-existent accounts, the depositor is the only person able to recover the ration points involved, and is provided for in Amendment 48 to Revised Ration Order 18, Amendment 15 to RRO 16, Amendment 34 to RRO 3, and Amendment 69 to RO 17, all effective July 25.

Usually ration checks are drawn on non-existent accounts through oversight or carelessness, OPA said.

For example, there have been cases when a retailer's supply of check forms has been exhausted. A distributor or his representative may offer one of his

own ration check forms to the retailer and both may overlook writing in the name of the retailer's ration bank. The check normally will go to the distributor's ration bank where the retailer is unknown.

The account of the depositor is debited the amount of the check because he can recover the points with least delay and difficulty.

The instructions to the District Offices cover processed foods, meats-fats, and sugar.

Mason Britton Promoted

The appointment of Mason Britton as Assistant Administrator of the Surplus War Property Administration was announced July 19 by W. L. Clayton, Surgeon General, War Property Administrator.

Mr. Clayton said that Mr. Britton's duties henceforth will relate to the general supervision of the disposal of all types of surplus property for which the Reconstruction Finance Corporation is the disposal agency—surplus industrial plants, aircraft, machine tools and industrial equipment, chemicals, metals and minerals, and other capital and producers' goods.

Huyssoon Given New WPB Post

A. B. Huyssoon, of the Continental Paper Company, Ridgefield Park, N. J., has been appointed assistant director of the Paperboard Division, in charge of the Boxboard and Cartons Branch, the War Production Board announced July 17.

He succeeds Ralph A. Powers, who resigned to return to the Robertson Paper Box Company in Montville, Conn.

As chief of the Boxboard and Cartons Branch, Mr. Huyssoon will handle the problems of production, distribution and grades of boxboard, folding and set-up boxes.

Dry Bean Seeds Price-exempt

Dry commercial field bean seeds have been exempted from price control, effective July 20, the Office of Price Administration announced in issuing Amendment No. 5 to Maximum Price Regulation No. 406.

The sales of these beans have not shown inflationary tendencies, OPA said, and removing them from price control will aid the War Food Administration's dry edible bean program.

Farmers now will be able to obtain premiums for certified and premium grades of dry edible beans suitable for seed purposes, it was stated.

Frozen Fruit and Vegetable Stocks Held in Cold Storage

Stocks of frozen fruits in storage on July 1, 1944, totaled 132,513,000 pounds against 116,930,000 on June 1, 1944, and 107,138,000 on July 1, 1943, according to the War Food Administration. Frozen vegetable stocks on July 1, 1944, were 115,236,000 pounds against 98,910,000 on June 1, this year, and 73,888,000 on July 1, 1943. The following table furnishes details by commodities:

	July 1, 1943	June 1, 1944	July 1, 1944
	1,000- lbs.	1,000- lbs.	1,000- lbs.
FRUITS			
Apples.....	.....	.....	9,752
Blackberries.....	3,853	2,648	3,530
Cherries.....	6,123	6,180	5,342
Young, Logan, Boysen, etc.....	2,538	1,612	2,851
Raspberries.....	5,968	6,415	4,744
Strawberries.....	36,257	19,373	32,519
Grapes.....	.....	.....	4,911
Plums and prunes.....	.....	.....	3,570
Peaches.....	.....	.....	3,113
Fruit juices and purées.....	.....	.....	8,350
*All other fruits.....	52,309	50,093	53,831
Total.....	107,138	116,930	132,513
VEGETABLES			
Asparagus.....	4,559	5,303	7,180
Beans, lima.....	4,809	3,761	2,322
Beans, snap.....	2,676	6,216	5,171
Broccoli, green.....	821	3,091	3,049
Cauliflower.....	.....	.....	1,233
Corn, sweet.....	1,420	5,708	3,787
Peas, green.....	10,305	14,956	23,324
Spinach.....	6,845	10,404	11,699
Brussels sprouts.....	.....	.....	1,698
Pumpkin and squash.....	.....	.....	2,274
Baked beans.....	.....	.....	2,401
Vegetable purees.....	.....	.....	534
All other vegetables.....	36,453	49,471	50,574
Total.....	73,588	98,910	115,236

*Blueberries now included with "All other fruits."

USDA Reports Pea Aphid and Mexican Bean Beetle Damage

According to information released by the Bureau of Entomology and Plant Quarantine covering conditions for the week ending July 15, light pea aphid infestations prevail in central and northern Wisconsin, Illinois, Michigan, Minnesota, and Maine. However, with the exception of Maine, the major part of the pea acreage has been harvested or is beyond the stage where pea aphid damage would be critical. Damage by the pea aphid is increasing on late peas in parts of the Eastern Oregon-Washington area. Dusting operations for the pea weevil have been completed in the Palouse district of Idaho-Washington and nearly completed in eastern Oregon and Washington.

Damage from the Mexican bean beetle is characterized as light, for the period ending July 15, in most of the States reporting, which included Colorado,

Wyoming, Nebraska, Ohio, Kentucky, Tennessee, Virginia, Pennsylvania, New York, Delaware, Alabama, Florida, Georgia, Mississippi and North Carolina. Rotenone supplies are apparently adequate at present for Mexican bean beetle control. Judging from reports, heavy infestations of the bean leaf-hopper occurred on beans and on other crops in widely distributed parts of the country including Wisconsin, Minnesota, Illinois, Pennsylvania, Delaware, North Carolina and Nebraska.

Whole Unpeeled Apricots Sold to Government Price Exempt

Processor sales of whole unpeeled apricots packed to certain specifications and sold to the Government are exempt from maximum prices, the Office of Price Administration announced in Amendment 32 to Maximum Price Regulation 306.

This exemption, effective July 17, applies only to whole unpeeled apricots packed in No. 10 cans with a drained weight of 90 ounces or more per can, which are not required to meet the processor's quotas under War Food Order 22.6. Since none of these apricots will be sold to civilian consumers, the exemption will not affect retail prices.

OPA said that the War Food Administration has requested a substantial quantity of apricots packed in this manner for Lend-lease use. Since processors have not previously used this style of pack and since no price ceilings have been established that would be applicable, OPA said that setting special ceilings would not be feasible and that sales for Lend-lease can best be facilitated by the amendment to MPR 306.

Mayonnaise Adjustment

Circumstances under which manufacturers of mayonnaise and salad dressing may apply for adjustments of their prices, where such adjustments are necessary to cover their costs, were announced July 21 in Amendment No. 29 to Supplementary Regulation No. 15 by the Office of Price Administration.

Effective July 25, a manufacturer or processor of these commodities may apply to his regional OPA office through his nearest district office for an adjustment of his prices if his maximum price is below the general level of prices prevailing for similar products in the same area in which his product is sold.

By "similar products," OPA said that it meant a product whose individual fat content is approximately the same as the total fat content of the applicant's individual product.

OPA ANNOUNCES GRADES FOR PRICE REGULATIONS

(Continued from page 8319)

seller's maximum price for a claimed grade constitutes compliance with the regulation if the goods conform to the United States standards for that grade. If the goods do not so conform, the sale is in violation of the regulation unless it appears that the standards as generally understood in the trade differ in some material respect from the United States Standards and that the goods meet the requirements of the claimed grade as so understood in the trade.

The United States Standards, which thus constitute a presumptive test of conformity to grade, are not, as has sometimes been supposed, a separate system of grades distinct from so-called commercial grades. They are rather written specifications for the commercial grades. The grades themselves are those universally recognized in commercial practice—for example, in the case of canned peas, fancy, extra-standard and standard. The United States Standards use both the commercial names for the grades and designation by letter and goods which have been subject to continuous factory inspection by government inspectors may bear the prefix "U. S." before the grade designation.

The U. S. Standards are not only specifications for the established commercial grades, rather than a separate system of grades, but they represent the culmination of a long effort by the Department of Agriculture to reduce to writing the elements of the general commercial understanding of those grades. This effort has been carried on by a process of constant consultation with the trade. As a result of this consultation and of experience with the use of the specifications, they have been modified from time to time until now there is unquestionably the closest identity between the quality elements of the grades and the commercial understanding.

The United States Standards are adapted to the purposes for which they are used in the supplement because they are, with one exception, the only available written statement of the elements of—that is, the specifications for—the established commercial grades. They are republished in abbreviated form in the Federal Specifications for processed fruits, vegetables and berries, under which all government purchasing takes place, and their full meaning and application as written is adopted by reference. Not only are they in writing but they are worked out with thoroughness and detail. Thus, they provide an objective means of testing canned fruits and vegetables and berries for grade of the finished product. Buyers and sellers are thereby afforded guidance in determining disputes as to conformity and a definite measure is provided in the determination of maximum prices.

In one other instance—that of the Specifications for California Canned Fruits published by the Canners League of California and the Pacific Northwest Canners Association, the elements of the commercial grades have been reduced to writing. These specifications, however, do not supply the same completeness and, therefore, accuracy as the United States Standards. They state in general terms the elements of grading without sufficient detail to provide objective testing of a product. For example, they treat the issue of color of pears by calling for very fine color for Fancy grade, fine color for Choice grade, and reasonably good color for Standard grade. U. S. Standards, on the other hand, deal with the objective basis for testing color and uniformity of color by describing the typical characteristic color, the variations allowable from characteristic color and the application of the color standard.

The U. S. Standards omit certain factors in grade determination which are taken into account in commercial practice. These factors may be generally described as non-quality elements. An illustration of this difference is syrup density in the case of fruit. U. S. Standards do not give any consideration to the question of syrup density but treat it as a separable element unrelated to quality. This factor is similarly treated in this supplement which provides a separate table of price differentials for different syrup densities. Another non-quality difference is the count or number of pieces in a can, in the case of fruit. Although in some cases there is no difference on this issue between the U. S. Standards and general commercial understanding, certain canned peaches are not specifically graded by count under the U. S. Standards. To insure that this factor is fully recognized the supplement will, wherever any difference exists, incorporate the general commercial understanding. The supplement adopts the count provisions of the League Specifications in the case of West Coast Fruits.

Section 2(j) of the Emergency Price Control Act of 1942, as amended, places certain limitations upon the authority of the Price Administrator. He may not fix maximum prices for classes of commodities described in terms of specifications or standards, unless the specifications or standards were, prior to the regulation, in general use in the trade, except as later explained. The commercial grades, Fancy, Extra-Standard (or Choice) and Standard have been universally used both in private and commercial transactions. As has been explained, the United States Standards are not separate grades but specifications for the commercial grades. Constituting as they do the most accurate and complete description of the commercial understanding of these grades it follows that they may be properly used, in the way that is done in this supplement, as a written expression of the specifications or standards which have been in not only

general use but substantially universal in the canning industry.

It should be pointed out that Section 2(j) contains further authority to make use of standards or specifications in cases where no practicable alternative exists for securing effective price control. The Price Administrator was prepared to make a finding under each of the provisions of Section 2(j). In view, however, of the proviso in the Second Deficiency Appropriation Act, 1944, which appears to narrow the grounds for pricing by grades of processed fruits and vegetables described in terms of specifications or standards to the single basis of general use, there is no present need for considering any other items.

The supplement provides that failure of goods to conform to the standards for a claimed grade is excused if it appears that general commercial understanding differs in any material respect from the written standards and that the goods meet the requirements of such understanding. Although the standards are thus a basis for testing conformity to grade, it is open to a seller to offer proof of a general commercial understanding which differs in one or more material respects from the standards. If, further, the goods meet the requirements of the claimed grade as so generally understood in the trade, no violation has occurred. This method affords every seller a full and fair opportunity to test the issue as to the existence of material differences and protects him so long as he adheres to standards which are in fact in general use. The Office of Price Administration will not bring action against any seller where such action is based solely on immaterial differences between U. S. Standards and commercial grades as they are generally understood. The purpose of the provision is to prevent up-grading, thereby protecting commercial buyers and consumers.

Food and Drug Pea Standard Held Invalid by Federal Court

In an action for misbranding of canned peas brought under the criminal provisions of the Federal Food, Drug, and Cosmetic Act in the Federal Court at Baltimore, Maryland, and decided on July 18, Judge William C. Coleman found for the defendant, Lord Mott Company of Baltimore.

It was charged by the Government that the peas in question were of sub-standard quality because of excessive maturity as evidenced by the percentage of alcohol insoluble solids. Judge Coleman held that the Administrator of the Act, in setting up the minimum standard of quality, had not complied with the law in that the test of maturity was too severe and did not take into account climatic conditions in the

area in which the peas were grown and canned. It will be recalled that the Food, Drug, and Cosmetic Act specifies that "in the prescribing of any standard of quality for any canned fruit or

canned vegetable, consideration shall be given and due allowance made for the differing characteristics of the several varieties of such fruit or vegetable."

R.S.P. CHERRY PRICES SET

New York and Pennsylvania Ceilings Include Permitted Increases Over 1941 Costs

The maximum prices which will be established soon for canner sales of red sour pitted cherries packed in New York and Pennsylvania will be announced July 24 by the Office of Price Administration.

Red sour pitted cherries, as well as other major fruits and vegetables of the 1944 pack, will be priced by a formula consisting of a base price computed by each individual processor, a dollar-and-cents permitted increase to cover cost increases since 1941 and to adjust industry profit to that received in 1940-41, and a price range within which every processor's ceiling price must fall.

Processors who were not in business in 1941 or who did not pack any of the commodity for which a formula price is provided will use dollar and cent ceiling prices which will be provided in the canned pack regulation and which represent the middle figure of the applicable price range. Pricing methods will also be provided for processors who sold the product during 1941 but did not pack the container size they are using in 1944.

The permitted increases and the price ranges for standard grade water pack red sour pitted cherries packed in New York and Pennsylvania, per dozen cans, f.o.b. processor's plant, will be:

For No. 2 cans, a permitted increase of 53 cents per dozen cans and a range of \$1.97 to \$2.18.

For No. 10 cans, a permitted increase of \$2.70 per dozen cans and a range of \$10.07 to \$11.13.

If the processor was not in business in 1941 or if he sold no red sour pitted cherries in the base period, his ceiling prices for standard water pack No. 2 cans will be \$2.08 and for No. 10 cans, \$10.00.

If the processor is packing grades other than standard, he prices extra standard grade by adding 10 cents per dozen cans to the standard price. For fancy grades, he adds 20 cents per dozen No. 2 cans to the standard price. For No. 10 cans the differential over

the standard price is 50 cents per dozen cans for extra standard and \$1.00 per dozen cans for fancy.

If the processor is packing in syrup instead of water pack, he adds to the prices for water pack 5 cents per dozen No. 2 cans and 25 cents per dozen No. 10 cans for each ten degrees of syrup (figured on the basis of put-in density).

New Light Truck Production in First Quarter of 1945 Unlikely

The Office of Defense Transportation has notified its 142 district offices scattered throughout the Nation not to accept new applications for light motor trucks, after denial by the War Production Board of ODT's request for resumption of light truck production beginning with the first quarter of 1945.

In view of the extreme tightness of flat rolled steel products and the existing manpower shortages that are affecting the medium and heavy truck program as well as other highly urgent military programs, the WPB Requirements Committee did not feel that it would be feasible to authorize the production of light trucks unless facilities and manpower were made available by cut-backs in these other urgent programs, ODT was advised. Consequently, there is little likelihood for new light motor trucks being available during the first quarter of 1945 as a result of this action.

A total of 41,000 light trucks for the first quarter of next year was, however, authorized by WPB on a "suspended AA-3" basis. This, ODT emphasized, does not constitute an authorization to produce until specifically validated by WPB at some later date. It permits planning for production, but not actual production.

There has been no production of light trucks since completion of the March, 1942, schedules. Since March 9, 1942, the beginning of truck rationing, there have been approximately 28,000 light trucks available from the national pool of trucks for essential civilian uses. Ordinary peacetime production of trucks in this class averages 300,000 a year. Such equipment is used prin-

cipally in agricultural work, and to a lesser extent in building maintenance and services, essential wholesale and retail distribution, oil field production and exploration, and in public utility work, ODT said.

At the present time there are only 700 light trucks remaining in the national pool; of these only 300 are available for essential civilian uses, the remainder being "earmarked" for the War and Navy departments, Maritime Commission, FEA and other "government-exempt" agencies.

It was pointed out that against these 300 civilian trucks there is a considerable backlog of light truck applications on which action has been withheld until the exact status of the pool could be determined. Applications will now be processed from this backlog to the extent of the 300 available civilian units, ODT explained.

Farm Wage Ceiling Established in Three Washington Counties

Maximum wage rates for picking cherries, peaches and apricots, and for picking, thinning and spraying apples in Chelan, Douglas and Okanogan counties, State of Washington, have been established by the War Food Administration.

The rates are specified in four separate specific wage ceiling regulations (Nos. 15, 16, 17 and 18). They are the first specific ceilings to be established on farm workers' wages in Washington, and are as follows:

Order No. 15—Cherry picking: Hourly rate, 85 cents per hour; piece rate, $3\frac{1}{2}$ cents per pound or the equivalent where container rates are used.

Order No. 16—Peach picking: Hourly rate, 85 cents per hour; piece rate, 10 cents per 40-pound lug.

Order No. 17—Apricot picking: Hourly rate, 85 cents per hour; piece rate, 20 cents per 40-pound lug.

Order No. 18—Apple picking, thinning, and spraying: 80 cents per hour for thinning and spraying, 85 cents per hour for picking summer apples. No maximum piece rate established.

The Washington WFA Wage Board, located at 235 Liberty Street, Yakima, will administer the orders in accordance with the specific wage ceiling regulations issued by the War Food Administrator January 20, 1944. Robert Pryor, of the Washington Dairy Products Commission, is the wage board chairman.